

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
SPRING VALLEY BRANCH; JULIO
CLERVEAUX; CHEVON DOS REIS; ERIC
GOODWIN; JOSE VITELIO GREGORIO;
DOROTHY MILLER; HILLARY MOREAU;
and WASHINGTON SANCHEZ,

Plaintiffs,

v.

EAST RAMAPO CENTRAL SCHOOL
DISTRICT and MARYELLEN ELIA, IN HER
CAPACITY AS THE COMMISSIONER OF
EDUCATION OF THE STATE OF NEW
YORK,

Defendants.

17 Civ. 8943 (CS) (JCM)

DECLARATION OF JEAN E. FIELDS

JEAN E. FIELDS, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury as follows:

Background

1. I am a United States citizen. I am 66 years old. I am a black woman.
2. I reside within the East Ramapo Central School District (the “District” or “East Ramapo”), and have resided within the District for the past 27 years.
3. I received my Bachelor’s degree in Mass Media Communications from Hunter College. I received a Master’s degree in Special Education from Lehman College and a Master’s degree in Administration and Supervision from the State University of New York at New Paltz.
4. I am currently retired. Prior to my retirement in 2013, I worked at Ramapo High School for 19 years. I served as Principal for eight years, Assistant Principal for Student Support

for seven years, and a teacher in the Social Studies Department for four years. Ramapo High School is one of only two public high schools in the District; the other is Spring Valley High School.

5. I am the co-chair of the Education Committee of the Spring Valley Branch of the National Association of the Advancement of Colored People (“Spring Valley NAACP”). East Ramapo falls within the area that the Spring Valley NAACP serves.

6. I have two children who attended public school in the District in the 1990s and early 2000s. My oldest son attended Colton Elementary School, Pomona Middle School, and Ramapo High School. He graduated from Ramapo High School in 1998. My younger son attended Hempstead Elementary School, Colton Elementary School, Pomona Middle School, the Ramapo Freshman Center, and Ramapo High School. He graduated Ramapo High School in 2003.

7. As a parent, educator, and co-chair of the Spring Valley NAACP Education Committee, I have monitored the public school education provided in the District for over 25 years. I have knowledge of the activities of the District’s Board of Education (the “Board”) from regularly attending their meetings and following their proceedings as an engaged public school parent and District resident, as well as from my 19 years as an administrator and teacher in the District.

Staffing Reductions Resulting from Budget Cuts

8. Around 2009, I witnessed firsthand the effect of budget cuts on the ability of the District to provide educational services to public school students. Beginning in 2009, the Board began to make deep cuts to the public school budgets, resulting in reductions to programming and staff layoffs. In the 2009-10 school year, around 40 teachers were laid off in Ramapo High

School alone. As Principal of Ramapo High School, I personally delivered the news of the layoffs to some of the teachers, which I found deeply disheartening because of my high regard for these colleagues. Similar cuts were made to other schools in the District, including the elementary and middle schools.

9. As part of the budget cuts in 2009, Ramapo High School also lost all of its social workers. The social workers had provided counseling for students and families and connected families to social services. I can recall one incident, after the cuts, where I had to assist a suicidal student without the benefit of a social worker on staff to assist me. In general, the lack of social workers meant that I had to spend more time addressing social services issues, and less time fulfilling my duties as Principal.

10. The budget cuts in 2009 also resulted in the loss of a significant number of guidance counselors at the high schools. Before the cuts, to the best of my recollection, guidance counselors at Ramapo High School generally carried a caseload of approximately 200 students. After the cuts, the remaining guidance counselors became responsible for about 300 students each.

11. As a result of the budget cuts, all of the department chairpersons at Ramapo High School were terminated. The chairpersons were responsible for properly assessing student skills and ensuring they were placed at the appropriate course levels. The chairpersons also had in depth knowledge of their department's curriculum and provided teachers and administrators with critical support in connection with the substance of their classes and how best to approach particular students.

12. Before the budget cuts, the school also provided tutoring to students before New York State exams in the winter and spring, but this tutoring was no longer possible once the budget cuts eliminated the funding for stipends to compensate the staff for their time.

Reductions in Academic and Extracurricular Programming

13. The 2009 budget cuts and resulting reduction in faculty and staff diminished the students' access to opportunities conducive to academic success.

14. When my sons attended East Ramapo public schools and for much of my career in the District, the public schools provided excellent academic programming that prepared students for success in college and beyond. For example, my sons and other students were given access to classes and extracurricular activities that helped ensure they were competitive applicants for the colleges to which they applied. Before starting college in 2003, my younger son had earned roughly a year's worth of undergraduate credit from Advanced Placement courses offered at Ramapo High School. As an educator in the District, I witnessed many East Ramapo public school students thrive academically and receive admissions from the most selective universities. Students from East Ramapo public schools were accepted into every Ivy-league institution. Ramapo High School students often received scholarships, including the Gates Millennium Scholarship and the Intel Scholarship.

15. But as a result of the budget cuts starting in 2009, Ramapo High School no longer offered enough classes to fill all of the students' schedules. Students had holes in their programs that were filled with multiple study halls and/or lunch periods in a day. Without sufficient class offerings, many students were ineligible for an Advanced Regents Diploma—a valuable credential for students applying to selective colleges and for certain scholarships—because they were unable to take enough New York State Regents exams to meet the requirement. Even

worse, the budget cuts made it difficult for some students to graduate high school on time because the school did not offer enough courses to ensure timely completion of New York State diploma requirements.

16. The Board policies also negatively affected the extracurricular activities in the District. When my sons were students at Ramapo High School in the 1990s and early 2000s, they participated in various extracurricular activities including academic clubs, cultural clubs, Model Congress, and music programs. Other activities like team sports, peer mediation, and Natural Helpers (a peer counseling organization) were similarly available. The District provided staff and financing for these programs. Students were able to travel and compete in other towns. The District supported faculty members' efforts to receive additional training for the administration of these programs. In general, the programs were high-quality and plentiful.

17. After the budget cuts, many activities at Ramapo High School were eliminated, including: Model Congress, the African American cultural club, Natural Helpers, peer mediation, and debate. Of the remaining activities, the academic clubs were most negatively affected. The academic clubs had a history of success in competitions and were a source of pride for the school, but when the District cut financial support for these activities, the academic clubs no longer performed as well. When the District eliminated stipends for faculty advisers to the academic clubs, the programs could only continue if the teachers voluntarily advised the student participants on an unpaid basis. The District also cut or consolidated with Spring Valley High School the athletic teams, and as a result, students had fewer opportunities to participate in competitive athletics.

18. Before the budget cuts, the marching band was another source of pride for the District. The marching band, which pooled talent from Spring Valley High School and Ramapo

High School, was extraordinary, was featured in a film, and traveled for competitions. But in 2012, the District laid off the longtime band director, who was largely responsible for its success, after 28 years of service in East Ramapo. A neighboring school district hired him. A year later, the teacher appointed to replace the long-time director was then also laid off. In 2014, after complaints from the community, the District rehired the longtime band director, and after the State began to intervene in East Ramapo, some of the other extracurricular programs were also restored.

19. The lack of support for extracurricular activities impaired the students' ability to compete for elite undergraduate programs. Many colleges consider participation in extracurricular activities an important criterion for admission, and the absence of these programs had a negative impact on the college acceptances received by East Ramapo public school students.

20. After the budget cuts, East Ramapo student acceptances to the most competitive schools decreased. Every year, a bulletin was published for graduation, which listed the schools where students were accepted and the amount of scholarships received by the students. Despite the dedicated efforts of Ramapo High School staff and counselors, this section of the bulletin shrank over the years as the competitiveness of the students declined.

Deterioration of School Maintenance and Infrastructure

21. As a result of the budget cuts, the condition of Ramapo High School's infrastructure and custodial services also suffered. When I first became Principal of Ramapo High School, the school was generally well-maintained and kept clean, and I rarely, if ever, had to address basic custodial and facilities issues. After the budgets resulted in cuts to custodial and maintenance services, the hallways and classrooms became dirtier. The bathrooms often ran out

of toilet paper and feminine hygiene products, and on occasion, I would have to restock the bathrooms myself. The school also developed problems with rodents and roaches. The roof fell into such disrepair that we had to place buckets on the hallway floors to catch the water leaking from the ceiling when it rained. As a result of these leaks, mold developed. The boiler sometimes broke down during the winter, so there were periods of time when there was no heat. The poor condition of the school building was sometimes a physical impediment to providing quality education. Blackboards were frequently not cleaned between school days and, on some occasions, I cleaned the blackboards myself. Once, a parent came into a classroom while I was cleaning a blackboard and asked me a question, assuming I was the janitor. I answered her question, but did not tell her that I was actually the Principal of the school.

Deterioration of School Environment

22. Following the cuts and the resulting impact on the staffing, programming, and maintenance at Ramapo High School, the school environment deteriorated. Teachers felt less secure in their jobs. Because supplies were scarce, teachers frequently personally funded materials for their classrooms. On three or four occasions, Ramapo High School ran out of paper before the school year ended, and in one year, the school ran out of paper in January. Students expressed that they felt as if no one cared about them and that they were not valued. I recall several points in 2012 and 2013 when I found students holding hands and praying for the school near the flagpole outside.

23. After the cuts, I noticed that student discipline problems increased. Cuts to classes and programming meant that there were fewer activities to occupy the students. Cuts to social workers, guidance counselors, and deans meant that there were fewer professionals to address these behavioral issues.

24. Following the budget cuts and their aftermath, the reputation of East Ramapo public schools diminished. I am aware of families that moved out or attempted to move out of the District because of the decline of the public schools. I also know parents who have not moved but who have decided to send their children to private schools in the area or in New Jersey instead of the local public schools.

25. At one point, my son asked my opinion concerning whether he should move into the District and enroll his children—my grandchildren—in East Ramapo public schools. I advised my son against doing so because of the condition of the public schools. He ultimately bought a home within the North Rockland Central School District.

Board's Lack of Responsiveness to the Public School Community at Board Meetings

26. From 2003 to 2013, I was a regular attendee at Board meetings. During that time, I witnessed a shift in the tenor of these Board meetings as the Board became hostile and unwelcoming to members of the public school community who attended.

27. When Board members were attentive to the interests of the minority community and responsive to their needs, the District thrived. At that time, many of the Board members were parents of current or former public students or were friends and neighbors of the parents of the public school students. Parents of public school students would run into the Board members outside of Board meetings or in the community and be able to discuss the needs of their students and their schools. Students used to go to Board meetings regularly to speak positively about the schools.

28. The Board's attentiveness and responsiveness to the public school community began to decline around 2005 when candidates backed by organizations and leaders favoring

lower taxes and maintaining a high level of District services for private school students gained a majority of seats on the Board.

29. Once the Board members backed by the private school community had a majority, the Board answered questions, comments, or complaints from members of the public at Board meetings less frequently. Initially, we expected that the Board would address those comments in future meetings, but this proved not to be the case.

30. The Board then became hostile to the public school community's attempts to engage with the Board and the District. At one point, the Board stopped accepting comments from the community at the beginning of Board meetings and would only hear public comments at the end of meetings. The Board would then enter into long, private executive sessions, postponing the public comment period for several hours. Even though meetings began at 7:30 p.m., the public would have to wait until executive sessions ended late into the night if they sought to voice concerns to the Board.

31. As a regular attendee of the Board meetings, I watched the relationship between the Board and the minority community deteriorate. In particular, the Board's attorneys, who attended Board meetings and would generally sit on the dais with the Board members, would berate members of the public who criticized the Board. On one particularly memorable occasion, I witnessed one of the Board's lawyers mock and insult a parent who had been critical of the Board during a meeting; the Board's lawyer then followed the parent into the parking lot afterwards and verbally assaulted her with profanities. This incident was captured on video and received widespread attention from the press. *The New York Daily News* reported on the incident in a July 3, 2013 article written by David Knowles and titled "VIDEO: East Ramapo district school board lawyer Christopher Kirby launches into profanity-laced tirade at parents." A true

and correct copy of this article, which accurately reflects my recollection of the event, is available at the following URL: <http://www.nydailynews.com/news/national/video-school-board-lawyer-flips-parents-article-1.1389526>.

32. The Board also exhibited a disturbing lack of sensitivity to the minority community. At one point, the Board had police officers and security guards attend the Board meetings. In one instance, I saw the Board members have a security guard move a black woman to the back of the room because she was recording the session. The guard even threatened to arrest this woman. I was disturbed and intimidated by the unnecessary presence of law enforcement at school board meetings, and other minority members of the community told me that they felt similarly. This insensitivity continues today. In 2017, the Board approved the use of metal detectors in East Ramapo public schools. The Board did not solicit any feedback from the public in this decision. Public school students and their families were offended by this proposal.

Candidacy for School Board

33. In 2016, I ran for a seat on the Board. I ran because I felt that I could be a voice for my community on the Board, because I knew East Ramapo so well, and because I had a lot of knowledge to contribute regarding school administration, students, and education generally. My campaign slogan was “Education for All.” I ran on a slate with Kim Foskew, Sabrina Charles-Pierre, and Natashia Morales. Organizations and leaders within the public school community, including Power of Ten, Strong East Ramapo, and public school parent-teacher associations, supported our slate.

34. The other members of my slate and I created a campaign web page, flyers, posters, and yards signs. We also knocked on doors in Spring Valley. I campaigned in malls,

churches, and supermarkets. I attended candidate forums hosted by the Spring Valley NAACP and the Jamaican Civic and Cultural Association of Rockland (“JAMCCAR”) and Citizens United to Protect Our Neighborhoods.

35. I was not invited to any candidate forums in the predominantly white communities of East Ramapo, including New Square, Kaser, or Monsey. I was not invited to campaign in any of these predominantly white neighborhoods, villages, or hamlets in East Ramapo. I did not go to campaign in those predominantly white areas because as a black woman, I did not expect that I would be welcome there.

36. I do not know which organizations or community leaders endorsed the slate on which my opponent ran. I was never offered an opportunity to compete for a position on that slate or for the endorsement of the community leaders who endorsed my opponent. I do not know what criteria those organizations or leaders used to slate or endorse their preferred candidates.

37. I only saw my opponent, Pierre Germain, at one candidate forum held by the NAACP and JAMCCAR. Mr. Germain left this forum early, and I did not see any other candidate from the private school slate. I did not see my opponent or other members of his slate canvassing in any of the minority communities in which I campaigned.

38. I was ultimately defeated by Mr. Germain in the election held in May 2016. Mr. Germain received 3,686 more votes than I did.

39. Black and Latino voters supported my candidacy. When I campaigned in black and Latino neighborhoods, many black and Latino voters told me that they were going to vote for me. Leaders in the black and Latino communities strongly supported my candidacy.

40. In May 2016, one of the members of the Board resigned, creating a vacancy on the Board. In July 2016, the District began to accept submissions from those interested in serving the remainder of the term. I submitted a letter to the President of the Board expressing my interest and outlining my qualifications. Local leaders in the black and Latino communities once again supported me because of my experience as an educator and community leader. Despite my credentials and community support, the Board selected a white businessman with no apparent experience in education, no ties to the public schools, and who was unknown to the black and Latino communities.

41. After these experiences, I am discouraged from seeking a seat on the Board in the current electoral system because it would be difficult to win an election given the history of racial bloc voting and the repeated lack of success of candidates backed by the largely minority public school community.

42. If a ward system with majority-minority districts were enacted for Board elections, I would be encouraged to run again because I expect that I would have a chance to win an election.

Experience as a Voter and Lack of Representation on the Board

43. I have voted regularly in Board elections for over 25 years. Since 2008, no candidate I have voted for has won a contested election. As co-chair of the Spring Valley NAACP's Education Committee, I have heard from many people of color about their candidate preferences in school board elections. To the best of my knowledge, no candidate preferred by the black or Latino community has won a contested election for a seat on the Board since 2008.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Pomona, New York

12/1, 2017.


Jean E. Fields